

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863 FAX (831) 427-4877
www.coastal.ca.gov

Th11

CENTRAL COAST DISTRICT (SANTA CRUZ) DEPUTY DIRECTOR'S REPORT

For the

April Meeting of the California Coastal Commission

MEMORANDUM

Date: April 10, 2008

TO: Commissioners and Interested Parties
FROM: Charles Lester, Central Coast District Deputy Director
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the Central Coast District Office for the April 10, 2008 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the Central Coast District.

DE MINIMIS WAIVERS

1. 3-07-034-W Santa Cruz Seaside Company, Attn: Carl Henn, Sr. (Santa Cruz, Santa Cruz County)
2. 3-08-016-W San Luis Obispo County Department of Public Works, Attn: Kate Ballantyne (Avila Beach, San Luis Obispo County)

IMMATERIAL AMENDMENTS

1. A-3-SLO-01-018-A1 Jeff & Dianna Fabbri (Cambria, San Luis Obispo County)

TOTAL OF 3 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

Applicant	Project Description	Project Location
3-07-034-W Santa Cruz Seaside Company, Attn: Carl Henn, Sr.	Demolition of the existing two-story Haunted Castle building and construction of a new two-story Haunted Castle and a basement in the same location. About 15% of the sediment (approximately 695 cubic yards) excavated to allow development of the basement will be returned as backfill against the concrete walls of the basement. The remaining 85% of the sediment (approximately 3,935 cubic yards) will be tested for trace chemicals and to determine sediment grain size. Sediment that consists of at least 80% sand and meets County Environmental Health standards for human contact will be spread over the existing Main Beach area; sediment that does not meet these criteria will be removed to a landfill site. The Haunted Castle ride will load and unload on the ground level with the remainder of the ride being located in the newly developed basement. The remaining ground level space will house games, concessions, a first aid station, and offices. The second story level will be developed with offices and an employee check-in area.	Santa Cruz Beach Boardwalk, 400 Beach Street, between Cliff Street and the San Lorenzo River fronting the Main Beach, Santa Cruz (Santa Cruz County)
3-08-016-W San Luis Obispo County Department of Public Works, Attn: Kate Ballantyne	Install a traffic signal at the intersection of Avila Beach Drive and First Street to provide increased safety for bicycle traffic and improved circulation within Avila Beach.	Intersection of Avila Beach Drive and First Street, Avila Beach (San Luis Obispo County)

REPORT OF IMMATERIAL AMENDMENTS

The Executive Director has determined that there are no changes in circumstances affecting the conformity of the subject development with the California Coastal Act of 1976. No objections to this determination have been received at this office. Therefore, the Executive Director grants the requested Immaterial Amendment, subject to the same conditions, if any, approved by the Commission.

Applicant	Project Description	Project Location
A-3-SLO-01-018-A1 Jeff & Dianna Fabbri	Minor interior modifications to the approved floor plan.	1770 Ogden Drive (Lodge Hill), Cambria (San Luis Obispo County)

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: March 26, 2008
TO: Santa Cruz Seaside Company, Attn: Carl Henn, Sr.
FROM: Peter M. Douglas, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 3-07-034-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: Santa Cruz Seaside Company, Attn: Carl Henn, Sr.

LOCATION: Santa Cruz Beach Boardwalk, 400 Beach Street, between Cliff Street and the San Lorenzo River fronting the Main Beach, Santa Cruz (Santa Cruz County) (APN(s) 005-341-21)

DESCRIPTION: Demolition of the existing two-story Haunted Castle building and construction of a new two-story Haunted Castle and a basement in the same location. About 15% of the sediment (approximately 695 cubic yards) excavated to allow development of the basement will be returned as backfill against the concrete walls of the basement. The remaining 85% of the sediment (approximately 3,935 cubic yards) will be tested for trace chemicals and to determine sediment grain size. Sediment that consists of at least 80% sand and meets County Environmental Health standards for human contact will be spread over the existing Main Beach area; sediment that does not meet these criteria will be removed to a landfill site. The Haunted Castle ride will load and unload on the ground level with the remainder of the ride being located in the newly developed basement. The remaining ground level space will house games, concessions, a first aid station, and offices. The second story level will be developed with offices and an employee check-in area.

RATIONALE: The proposed project is an improvement to an existing ride at the Boardwalk, which is a major visitor-serving and public recreational destination and landmark on the City's beachfront. The new Haunted Castle structure will occupy the same airspace as the existing structure, and thus new public viewshed impacts are not significant.

Construction of the proposed project will take place during the off-season (i.e., after the Labor Day weekend, with completion of the project by the following February) and thus should pose minimal recreational conflicts. Construction access will be from Beach Street, thus the beach will not be impacted by construction activities, other than by beneficial beach nourishment activities. Storage of construction equipment and materials will be offsite. In addition, the proposed project includes appropriate best management practices to protect water quality during construction, including appropriate methods to ensure that concrete does not enter State waters. Only excavated sediment consisting of at least 80% sand and meeting County health standards will be deposited on the Main Beach.

As sited and designed and because of the included construction best management practices, the proposed project is a visitor-serving and public recreational enhancement,

and it will not have a significant impact, either individually or cumulatively, on coastal resources otherwise, and it is consistent with the policies of Chapter 3 of the Coastal Act of 1976.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Thursday, April 10, 2008, in Santa Barbara. If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
PETER M. DOUGLAS
Executive Director



By: DAN CARL
District Manager

cc: Local Planning Dept.

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: March 26, 2008
TO: San Luis Obispo County Department of Public Works, Attn: Kate Ballantyne
FROM: Peter M. Douglas, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 3-08-016-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: San Luis Obispo County Department of Public Works, Attn: Kate Ballantyne

LOCATION: Intersection of Avila Beach Drive and First Street, Avila Beach (San Luis Obispo County)

DESCRIPTION: Install a traffic signal at the intersection of Avila Beach Drive and First Street to provide increased safety for bicycle traffic and improved circulation within Avila Beach.

RATIONALE: The proposed installation of a traffic signal at the new crossing location for the Bob Jones City to Sea Bikeway has no potential for adverse effects on coastal resources (including public access), and is consistent with Chapter 3 of the Coastal Act. The signal is not located in an environmentally sensitive habitat area and all construction will be conducted in existing paved areas. No new paving is proposed. The proposed project will facilitate and improve high priority public access and recreation facilities at this popular visitor-serving destination, and will thus enhance public access and recreational opportunities to and along the shoreline.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Thursday, April 10, 2008, in Santa Barbara. If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
PETER M. DOUGLAS
Executive Director


By: DAN CARL
District Manager

cc: Local Planning Dept.



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**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties
FROM: Peter Douglas, Executive Director *By PGM*
DATE: March 26, 2008
SUBJECT: **Permit No: A-3-SLO-01-018**
Granted to: Jeff & Dianna Fabbri

Original Description:

for **Construct a roughly 1,700 square foot single-family residence.**
at **1770 Ogden Drive (Lodge Hill), Cambria (San Luis Obispo County)**

The Executive Director of the Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following changes:

Minor interior modifications to the approved floor plan.

FINDINGS

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within ten working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled meeting. This amendment has been considered IMMATERIAL for the following reason(s):

There is no potential for the proposed interior modifications to have adverse impacts on coastal resources, including public access. The minor interior modifications will increase the previously approved gross structural area (GSA) of the residence by approximately 185 square feet, but will not increase the height, bulk, style, or scale of the approved residence and do not require any exterior ground disturbance. The minor increase in GSA is due to the manner in which GSA is calculated in relation to the interior modifications proposed, and it is not due to any increased massing. In other words, these are interior residential modifications that do not raise coastal resource issues or concerns.

If you have any questions about the proposal or wish to register an objection, please contact Jonathan Bishop at the Central Coast District office.

cc: Local Planning Dept.

KEN RENSHAW

1790 OGDEN DR.
-CAMBRIA, CA 93428

March 30, 2008
Jonathan Bishop
California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Regarding: Notice of Proposed Permit Amendment
Permit No: A-3-SLO-01-018

Dear Mr. Bishop,

I object to the Proposed Permit Amendment. I believe you should be concerned about interior modifications that violate the LCP standards. The original permit was brought before the Coastal Commission because it violated the LCP's GSA standards. We presume the Coastal Commission is still concerned with making projects conform to the LCP.

The proposed permit should be denied. If granted, it would establish a precedent that would allow the County of SLO to permit two stage residential construction of houses that violate the LCP. Builders could construct two story residences with a mezzanine for initial construction and the maximum GSA under the LCP. After completion they could obtain a second permit for conversion of the mezzanine to a full floor which exceeds the allowable GSA.

When 1770 Ogden Dr. was constructed the builder used a loop- hole in the LCP to call a major part of the second floor a loft which would be excluded from the GSA calculation. The permit was granted for a GSA of 1644 square feet which excluded the loft and was the maximum allowed under the LCP. Under the current LCP the allowable GSA is 1693 square feet. With the proposed amendment, the GSA will be over 2300 square feet. The added physical floor space and the conversion of a loft to residential space makes the GSA increase nearly 700 square feet.

If you grant the Amendment, it will allow builders a strategy to ignore the LCP's GSA limitations.

Sincerely yours

Ken Renshaw



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April 9, 2008

To: Commissioners and Interested Parties

From: Charles Lester, Senior Deputy District Director, Central Coast

Re: Additional Information for Commission Meeting Thursday, April 10, 2008

<u>Agenda Item</u>	<u>Applicant</u>	<u>Description</u>	<u>Page</u>
Th13b, MAR-MAJ-1-06	City of Marina	Correspondence	1

City of Marina



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CALIFORNIA
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CENTRAL COAST AREA

City of Marina
211 HILLCREST AVENUE
MARINA, CA 93933
831- 884-1278; FAX 831- 384-9148
www.ci.marina.ca.us

April 7, 2008

Mike Watson
California Coastal Commission
Central Coast District
725 Front Street, Suite 300
Santa Cruz, CA 95060

Dear Mr. Watson:

The City of Marina is requesting withdrawal of Item Th13b (City of Marina LCP Amendment Number MAR-MAJ-1-06 Part 1 – Second Units) which is scheduled for consideration at the April 10, 2008 Coastal Commission hearing in Santa Barbara.

If you have any questions regarding this request please do not hesitate to contact me at 831-884-1289.

Sincerely,

Fred Goodrich
Interim Planning Service Manager